

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM B. BROTHERS, JR., )  
Plaintiff, )

vs. )

Civil Action No. 13-1154  
Judge Nora Barry Fischer/  
Chief Magistrate Judge Maureen P. Kelly

TOM CORBETT, *Governor of the* )  
*State of Pennsylvania*; PENNSYLVANIA )  
DEPARTMENT OF CORRECTIONS; )  
PENNSYLVANIA BOARD OF )  
PROBATION AND PAROLE; BRENDA )  
GOODALL, *S.C.I. Mercer Record Officer*; )  
KIM PETERSON, *S.C.I. Mercer Record* )  
*Officer*; SNYDER, *(retired) Parole Office* )  
*Supervisor*; LISA GRAVES, *S.C.I. Mercer* )  
*Unit Manager*; GREGORY GIDDENS, )  
*Unit Manager of Pennsylvania Department* )  
*Of Corrections*; BRIAN H. THOMPSON, )  
*Supintendent of Pennsylvania* )  
*Department of Corrections*; CHERYL )  
LABENNE, *Hearing Examiner and or* )  
*Board Member of the Pennsylvania Board* )  
*of Probation and Parole*; MATTHEW )  
MANGINO, *Member of the Pennsylvania* )  
*Board of Probation and Parole*; HOGUE, )  
*Hearing Examiner and or Board Member on* )  
*the Pennsylvania Board of Probation and* )  
*Parole*; MICHAEL C. POTTEIGER, )  
*Chairman of the Pennsylvania Board of* )  
*Probation and Parole*; RANDY P. )  
FEATHERS, *Member on the Pennsylvania* )  
*Board of Probation and Parole*; C. JAMES )  
FOX, *Board Member, Pennsylvania Board* )  
*of Probation and Parole*; MICHAEL L. )  
GREEN, *Member, Pennsylvania Board* )  
*of Probation and Parole*; JEFFREY )  
R. IMBODEN, *Board Member,* )  
*Pennsylvania Board of Probation and* )  
*Parole*; CRAIG R. McKAY, *Member,* )  
*Pennsylvania Board of Probation and* )  
*Parole*; JOHN TUTTLE, *Member,* )

*Pennsylvania Board of Probation and* )  
*Parole; JUDITH E. VIGLIONE,* )  
*Member, Pennsylvania Board of Probation* )  
*and Parole; LLOYD A. WHITE, Member,* )  
*Pennsylvania Board of Probation and* )  
*Parole; ALAN M. ROBINSON, Attorney* )  
*employed to represent the Pennsylvania* )  
*Board of Probation and Parole; JOHN* )  
*E. WETZEL, Secretary of Pennsylvania* )  
*Department of Corrections,* )  
Defendants. )

### **ORDER**

AND NOW, this 6<sup>th</sup> day of October, 2015, after Plaintiff William B. Brothers, Jr., filed an action in the above-captioned case, and after a Motion to Dismiss was filed by Defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until September 28, 2015, to file written objections thereto, and no Objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss, ECF No. 52, is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

By the Court:

s/Nora Barry Fischer  
Nora Barry Fischer  
United States District Judge

cc: Honorable Maureen P. Kelly  
Chief United States Magistrate Judge

William B. Brothers, Jr.  
813 McCleary Avenue  
New Castle, PA 16101

All Counsel of Record Via CM-ECF